

ENVIRONMENTAL HEARINGS OFFICE

Minutes of Meeting March 9, 2010 9:00 a.m.

The March 9, 2010 meeting was called to order by Chair Andrea McNamara Doyle in the Boards' office in Lacey, Washington. Present were Chair Andrea McNamara Doyle, Board Members Bill Lynch and Kathy Mix and Administrative Appeals Judges Kay Brown and Phyllis Macleod, Administrative Manager Robyn Bryant, Hearings Coordinator Debbie Joblonski, and Administrative Secretary Janet Buechler. Minutes of the February 9, 2010 meetings were read and approved as corrected.

Handouts were distributed for review which included the pollution, shoreline, forest practice, hydraulic, and environmental and land use appeals filed, a brief summary of all cases that have closed and the Case Statistics Report. A statistical update was given showing a total of 190 appeals were filed in 2009. There was also a discussion concerning the numbers of final orders issued in the previous month.

Appellate Update

Janet Buechler reported that one Superior Court appeal had been received in February, *Arthur West v. Ecology, et al*; PCHB No. 08-113, and that the record had been sent up to Thurston County.

Financial Update

Robyn Bryant reported that there was still a small budget surplus due to the vacant position and due to savings and reductions made in other areas, including travel. EHO's current lease expires on June 30, 2010. EHO's supplemental budget request for funds to relocate has been included in the budgets of the Governor, the House, and the Senate. The legislature is currently working on consolidating all three budgets into one final budget bill.

Building/Move Update

An office move is expected in the near future. An appointment is set for the entire staff to tour the new space. Archiving of files will begin in order to minimize the amount of material

that needs to be moved. Space planning will begin soon and everyone is encouraged to give their input and fill out a space planning survey.

SMA/GMA Legislation

Bill Lynch discussed the recent passage of legislation which fixed discrepancies in the shoreline master programs and critical area ordinances.

Recent Legislation

Kathy Mix reported on the quasi-judicial reform effort. The Senate has passed SHB 2935 and it was sent back to the House for concurrence. It is expected to go to the Governor for signature soon. The Forest Practices and Hydraulics Appeals Boards will fall under the jurisdiction of the Pollution Control Hearings Board and the bill eliminates the Environmental and Land Use Hearings Board.

Administratively, the bill merges the Environmental Hearings Office and the Growth Management Hearings Board into one agency, the Environmental and Land Use Hearings Office. Kathy explained the changes coming that will affect the board members, judges and staff from the EHO.

The Growth Management Hearings Board bill (SSB 6214) also passed which shrinks the number of the Growth Management Hearings Boards to one board with seven members.

Miscellaneous

Kathy suggested that an easy reference be compiled for evidence rules. Phyllis Macleod and Kathy will begin the process with input from the other board members and judge.

Reminders were given of the following items:

1. A new intern will be starting in June and will work until sometime in August.
2. *Simply File* work sessions are still encouraged to archive electronic mail.
3. The Well Fed Well Read food/book campaign will begin in late March.
4. Andrea is working on a *pro se* worksheet to be included with the scheduling letter.

Special thanks and recognition was given to Bill Lynch for his hard work on the large number of fiscal notes that have come into the office during this legislative session.

Meeting adjourned.

Janet Buechler
Administrative Secretary